

EXAMINER'S AMENDMENT

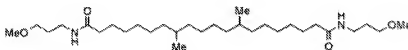
An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Chin on 8/11/10.

The application has been amended as follows:

Claim 1, line 3, **delete**, "0.0001" and **insert----** 0.1----, after lipid, **insert----** selected from the group consisting of

Amphipathic amide lipid A



Amphipathic amide lipid B



----; line 4, **delete**, "0.05" and **insert----** 0.1---, after 5 wt %, **delete** "at least one compound selected from the group ", **delete lines 5-7**, and **insert----** ethylene glycol distearate and

(C): 0.02 to 5 wt % of cationic polymer selected from the group consisting of cationic hydroxyethyl cellulose and cationic guar gum and further comprising a surfactant in an amount of 1 to 30 wt%-----; line 8, **delete** " 1:1" and **insert----** 1:2----

Claim 14, line 2, **delete** "(A)", and insert---- (B) ----.

Cancel claims 2-3, 5-7, 9-11 and 17-19.

In view of limiting claims to the lipid and ethylene glycol distearate tested in the specification, election of species is withdrawn with respect to component (A) and component (B).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JYOTHSNA A. VENKAT whose telephone number is 571-272-0607. The examiner can normally be reached on Monday-Friday, 10:30-7:30:1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EYLER YVONNE (BONNIE) can be reached on 571-272-0871. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JYOTHSNA A VENKAT /
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